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**REMARKS**

In the Final Office Action, Examiner Brier objected to and rejected pending claims 34-43 on various grounds. The Applicant responds to each objection and rejection as subsequently recited herein, and respectfully requests reconsideration of the present application:

- A. Examiner Brier rejected pending claim 40 for including a grammatical error

To obviate this objection, the Applicant has amended claim 40 herein to recite "a user-interface coupled to said cursor controller, said user-interface operable to sense a user-desired manipulation of the cursor based on a time period of an application of force on said user-interface by a user". Withdrawal of the objection of claim 40 is therefore respectfully requested.

- B. Claims 40-43 were rejected under 35 U.S.C. §112, ¶2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention

To obviate this rejection, the Applicant has amended independent claim 40 herein to recite "the actual displacement speed of the cursor is variable within a second speed range when the total generation of timing signals is equal to or greater than the pre-specified number". Withdrawal of the rejection of claims 40-43 under §112, ¶2 is therefore respectfully requested.

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- C. Claims 34-43 were rejected under 35 U.S.C. §102(b) as being anticipated by Japanese Patent Application Publication No. 1-200285 to *Levine*

The Applicant has thoroughly considered Examiner Brier's remarks concerning the patentability of claims 34-43 over *Levine*. The Applicant has also thoroughly read *Levine*. To warrant this §102(b) rejection, *Levine* must show each and every limitation of independent claims 34 and 40 in as complete detail as is contained in independent claims 34 and 40. See, MPEP §2131. The Applicant respectfully traverses this 35 U.S.C. §102(b) rejection of independent claims 34 and 40, because *Levine* fail to disclose and teaches away from the following limitations of independent claims 34 and 40:

1. "wherein, upon a predetermined time interval after the initial application of force on said user-interface by the user, the actual displacement speed of the cursor is variable within a second speed range" as recited in independent claim 34; and
2. "an actual displacement speed of the cursor as represented by said display is variable within a first speed range when a total generation of timing signals is less than a pre-specified number" and "the actual displacement speed of the cursor is variable within a second speed range when the total generation of timing signals is equal to or less than the pre-specified number" as recited in independent claim 40.

Specifically, in response to an operator depression of a cursor button 1 as illustrated in FIG. 1, *Levine* discloses a generation of a ramp voltage  $V_C$  as exemplarily illustrated in FIG. 2, where ramp voltage  $V_C$  equals  $V_C = \left( \frac{V_1}{(R_1)(C)} \right)t$  and  $t$  is the total

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time the cursor button 1 is depressed. See, Levine at page 4, lines 19-27. Thus, upon any given depression of cursor button 1, the position of starting point A of the ramp voltage  $V_C$  is 0 seconds and the position of ending point C of the ramp voltage  $V_C$  is the a function of the cursor depression time  $t$ . As such, assuming point B does represent a dividing line between two speed ranges as defined by starting point A and starting point C, Levine teaches a dynamic generation of points B and C for each depression of cursor button 1 as a function of time. This teaches away from establishing a predetermined time interval for point B (i.e., a time interval that is not a function of the cursor depression time  $t$ ) and from establishing a pre-specified number of generated timing signals corresponding to point B (i.e., a number of generated timing signals that is not a function of the cursor depression time  $t$ ).

Withdrawal of the rejection of independent claims 34 and 40 under 35 U.S.C. §102(b) as being anticipated by Levine is therefore respectfully requested.

Claims 35-39 depend from independent claim 34. Therefore, dependent claims 35-39 include all of the elements and limitations of independent claim 34. It is therefore respectfully submitted by the Applicant that dependent claims 35-39 are allowable over Levine for at least the same reason as set forth herein with respect to independent claim 34 being allowable over Levine. Withdrawal of the rejection of dependent claims 35-39 under 35 U.S.C. §102(b) being unpatentable over Levine is therefore respectfully requested.

Claims 41-43 depend from independent claim 40. Therefore, dependent claims 41-43 include all of the elements and limitations of independent claim 40. It is therefore respectfully submitted by the Applicant that dependent claims 41-43 are allowable over Levine for at least the same reason as set forth herein with respect to independent claim 40 being allowable over Levine. Withdrawal of the rejection of dependent claims 41-43 under 35 U.S.C. §102(b) being unpatentable over Levine is therefore respectfully requested.

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### SUMMARY

Examiner Brier's objections and rejections of claims 34-43 have been obviated by the amendment herein of independent claim 40 and the remarks herein supporting an allowance of claims 34-43 over *Levine*. The Applicant respectfully submits that claims 34-43 as amended herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Brier is respectfully requested to contact the undersigned at the telephone number listed below.

Dated: July 14, 2003

Respectfully submitted,  
Renate M. Sombroek et al.

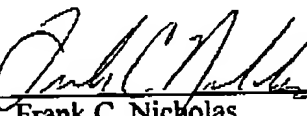
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